



AFI 28348

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| TRANSMITTAL LETTER | | | Case No. 8864/23 |
| Serial No. 09/738,268 | Filing Date December 15, 2000 | Examiner Joseph Waks | Group Art Unit 2834 |
| Inventor(s) LIEU ET AL. | | | |
| Title of Invention SPINDLE MOTOR WITH ENCAPSULATED STATOR AND METHOD OF MAKING SAME | | | |

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Credit Card Forms in the amounts of \$160.00 and \$465.00; Notice of Appeal From The Examiner to the Board of Patent Appeals and Interferences and Petition and Fee For Three (3) Month Extension of Time (37 CFR § 1.136(a)).

Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.

Applicant claims small entity status. See 37 CFR 1.27.

Petition for a three (3) month extension of time.

No additional fee is required.

The fee has been calculated as shown below:

| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra |
|---|----------------------------------|-------|---------------------------------|---------------|
| Total | | Minus | | |
| Indep. | | Minus | | |
| First Presentation of Multiple Dep. Claim | | | | |

| Small Entity | | or | Other Than Small Entity | |
|-----------------|-----------|----|-------------------------|-----------|
| Rate | Add'l Fee | | Rate | Add'l Fee |
| x \$9 = | | | x \$18 = | |
| x 42 = | | | x \$84 = | |
| + \$140 = | | | + \$280 = | |
| Total add'l fee | | \$ | Total add'l fee | |

Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ _____. A duplicate copy of this sheet is enclosed.

Credit Card Form in the amount of \$465.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


 Steven P. Shurtz
 Registration No. 31,424
 Attorney for Applicants
 Customer No. 00757 - Brinks Hofer Gilson Lione

BRINKS HOFER GILSON & LIONE
 P.O. BOX 10395
 CHICAGO, ILLINOIS 60610
 (312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:
 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22314-1450, on 7/31/03

Date: 7/31/03 Signature: Steven P. Shurtz



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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

on

Date of Deposit

Steven P. Shurtz

Name of applicant, assignee or
Registered Representative

Steven P. Shurtz

Signature

8/31/03

Date of Signature

Case No. 8864/23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

LIEU ET AL.

Serial No: 09/738,268

Examiner: Joseph WAKS

Filed: December 15, 2000

Group Art Unit: 2834

For: SPINDLE MOTOR WITH
ENCAPSULATED STATOR AND
METHOD OF MAKING SAME

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated January 31, 2003 of the Examiner finally rejecting Claims 1-29, 38-56 and 58-88.

The item(s) checked below are appropriate:

08/05/2003 AMONDAF1 00000019 09738268

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160.00 DP

RECEIVED
TECHNICAL INFORMATION
DIVISION
U.S. PATENT AND TRADEMARK OFFICE
AUG 5 2003

1. An extension of time to respond to the final rejection was granted on _____ for _____ month(s).
2. A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. Fee \$160.00 Small Entity
 Enclosed
 Not required (Fee paid in prior appeal)
 Charge to Deposit Account No. 23-1925 (One additional copy of this Notice enclosed herewith)
 The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
4. I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: July 31, 2003

Steven P. Shurtz
Steven P. Shurtz
Registration No. 31,424
Attorney for Applicants

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